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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

SUBDIVISION REVIEW BOARD

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MEETING DATE August 7, 2006	CONTACT/PHONE Michael Conger (805) 781-5136	APPLICANT Louis Cappelli David and Joy Sanders	FILE NO. CO05-0326 SUB2005-00111
SUBJECT Request by Louis Cappelli and David and Joy Sanders for a Vesting Tentative Parcel Map (CO 05-0326) to subdivide two existing parcels of 1.09 acres and 1.00 acres into four parcels of 20,881, 22,011, 23,559, and 20,003 net square feet each for the purpose of sale and/or development. This project includes a request for an exception to road improvement requirements. The proposed project is within the Residential Single Family land use category and is located at 657 and 661 Camino de Unos and 642 Camino del Rey in the village of Palo Mesa. The site is in the South County planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 05-0326 based on the findings listed in Exhibit A and the conditions listed in Exhibit B. 3. Deny the request for a road exception based on the findings listed in Exhibit A.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 29, 2006 for this project. Mitigation measures are proposed to address aesthetics, biological resources, recreation, transportation/circulation, wastewater, and water, and are included as conditions of approval.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075-161-024, 075-162-035	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None Applicable			
LAND USE ORDINANCE STANDARDS: Minimum Parcel Size; Parcel Design Standards; Utilities; Street Trees			
EXISTING USES: Single family residence, residential accessory uses.			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/ residential <i>East:</i> Residential Single Family/ residential <i>South:</i> Residential Single Family/ residential <i>West:</i> Residential Single Family/ residential			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, County Parks, CDF/County Fire, Air Pollution Control District, Central Coast Regional Water Quality Control Board, Cal Trans, City of Arroyo Grande			
TOPOGRAPHY: Level to gently sloping		VEGETATION: Ornamental	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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PROPOSED SERVICES: Water supply: Community system (Rural Water Co.) Sewage Disposal: Individual septic system Fire Protection: CDF/County Fire Dept.	ACCEPTANCE DATE: February 10, 2006
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ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 20,000 net square foot parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street	6,000 square feet
Slope	Average slope is between 0 and 15 %	6,000 square feet
Water Supply and Sewage Disposal	Community Water On-site septic	20,000 square feet

Setbacks

The applicant is proposing to establish special setbacks with this Vesting Tentative Map. The Land Use Ordinance provides an exception to the setback standards when special setbacks are established with the tentative map. The proposed setbacks are as follows:

PARCEL	FRONT	SIDE	REAR
Lot 1	Varies: 5 – 25 feet	North: 5 feet South: 5 feet	10 feet
Lot 2	25 feet	North: 5 feet South: 5 feet	10 feet
Lot 3	25 feet (from Camino del Rey)	North: 5 feet Street Side: 10 feet	Varies: 5 feet – 10 feet
Lot 4	25 feet	West: 20 feet East: 5 feet	10 feet

The primary reason for the setback adjustments are to accommodate existing structures, while still maintaining the minimum 20,000 net square feet of lot area. On Lot 1, a portion of the front setback has been adjusted to 5 feet in order to accommodate the existing garage. On Lot 3, a portion of the rear setback has been adjusted to 5 feet in order to accommodate an existing residence. A 20 foot side setback is provided on Lot 4 in order to account for the reduction in setback on Lot 3. The attached tentative map exhibits show the proposed setbacks in further detail.

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Utilities

Public utilities for Parcel Maps within an urban or village reserve line shall be placed underground. As conditioned, the project complies with this standard.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Street Trees

Parcel Maps involving parcels under one acre in size to be served by a community water system are required to plant one street tree for every 25 feet of frontage. As conditioned, the project meets this standard.

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This review considers the potential for further divisions and development in the site vicinity. As a result of this review, both an offer of dedication and road improvements are recommended as a means of providing appropriate access and circulation for this area. The applicant has requested an exception to the road improvement requirements.

ADJUSTMENTS:

Road Exception Request

The applicant has submitted a road exception request (attached). The request sites the fact that the surrounding neighborhood does not currently have curb, gutter, and sidewalk improvements, and that stands of mature Monterey cypress and Monterey pine trees would likely need to be removed in order to accommodate the road improvements.

The surrounding neighborhood, Tract 933, contains six additional lots each over an acre in size. Depending on site conditions, each of these lots has the potential to subdivide down to 20,000 square-foot lots under the current zoning. A second Parcel Map subdividing two of these lots (CO05-0325) is currently in process. As each lot in Tract 933 subdivides, road improvements (including curb, gutter, and sidewalk) will be required. In order to encourage orderly development and pedestrian safety, staff feels it would be appropriate to require road improvements as part of this project.

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The Mitigated Negative Declaration for this project addresses the potential removal of Monterey cypress and Monterey pines as a result of the proposed improvements. Mitigation measures have been incorporated into the project to address potential aesthetic and biological impacts as a result of the removal of these trees. With the incorporation of these measures, the required road improvements are not expected to pose a substantial environmental impact.

The Public Works Department has reviewed the road exception request and similarly concludes that waiver of the road improvement standards is not justified for this project.

ENVIRONMENTAL DETERMINATION:

Trail Dedication

When this project was originally referred to County Parks, a request was made that the applicant offer to dedicate a trail easement along the Highway 1 frontage of the property unless sufficient area for a trail was available along the CalTrans right-of-way. A mitigation measure requiring development of the trail easement was included in the Mitigated Negative Declaration, and in the signed developer's statement. Since that time, Jan DiLeo from County Parks has provided an updated response (attached) stating that sufficient area for the trail is available within the Cal Trans right-of-way, and that no additional action needs to be taken by the applicant to satisfy the measure.

COMMUNITY ADVISORY GROUP COMMENTS: This project was reviewed by the Nipomo Community Advisory Council at the November 28, 2005 meeting. NCAC recommends denial of the road exception request, and provided a comment stating that the access easement to the rear lot (Lot 1) should be wide enough for emergency equipment to turn around at the end.

Staff Response: This project has been reviewed by CDF/County Fire, concerning emergency access. The project has been conditioned to require that future development meet the requirements set in the fire safety letter.

AGENCY REVIEW:

Public Works – Provided stock conditions.

Environmental Health – Issued a health agency subdivision letter dated October 13, 2005.

County Parks – Requests payment of Quimby Fees.

CDF – Provided a fire safety letter dated December 8, 2005.

APCD – No comment.

Cal Trans – As of July 12, 2006, no response has been received from CalTrans.

RWQCB – Response states that the project is inconsistent with the Basin Plan.

Staff Response: Based on a follow-up call with Sorrel Marks from RWQCB, it was determined that information pertaining to the percolation tests had not been provided to RWQCB. A mitigation measure (WW-1) requires that information be provided to demonstrate Basin Plan compliance to the satisfaction of RWQCB before the final map can be recorded.

LEGAL LOT STATUS:

The two lots were legally created by recorded maps: Tract 933, recorded in Book 10, Page 78 of Maps; and CO73-052, recorded in Book 12, Page 59 of Parcel Maps.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 29, 2006 for this project. Mitigation measures are proposed to address aesthetics, biological resources, recreation, transportation/circulation, wastewater, and water, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of one single family residence on each parcel.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary dwelling on each parcel.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because there is adequate area to accommodate future development without substantially impacting the environment, and mitigation measures have been incorporated into the project which would bring potential impacts to a less than significant level.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Road Exceptions

- K. That there are not special circumstances or conditions affecting the property being subdivided, because the existing parcels are similar in size and configuration to the other parcels in the surrounding neighborhood, and removal of existing trees in the right of way would be adequately addressed through the proposed mitigation.
- L. That the granting of the adjustment would be detrimental to pedestrian safety, because sidewalk improvements are necessary in order to allow for safe pedestrian connections to the surrounding neighborhood.

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EXHIBIT B

CONDITIONS OF APPROVAL FOR CO05-0326

Approved Project

1. Vesting Tentative Parcel Map (CO 05-0326) to subdivide two existing parcels of 1.09 acres and 1.00 acres into four parcels of 20,881, 22,011, 23,559, and 20,003 net square feet each for the purpose of sale and/or development.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. Camino del Rey and Camino de Unos widened to complete the project side of an A-2 urban section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. The 50 foot road easement as shown on the tentative parcel map with a 20 foot radius property line return at the intersection of Camino del Rey and Camino de Unos.
4. Access be denied to Lot 1 from Highway 1 and that this be by certificate and designation on the map.
5. A private easement be reserved on the map for access to Lot 1.

Improvement Plans

6. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.

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7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
8. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

9. Submit complete drainage calculations to the Department of Public Works for review and approval.
10. If calculations so indicate, drainage must be retained/detained in a drainage basin on the property. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards.
11. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Utilities

12. Utilities shall be installed underground.

Design

13. The lots shall be numbered in sequence.
14. The lot area of Lots 1 through 4 shall contain a minimum area of 20,000 net square feet exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22.22.030).

Fire Protection

15. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.

Parks and Recreation (Quimby) Fees

16. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

17. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Mitigations

18. **Prior to recordation of the Final Map**, the applicant shall provide a street tree landscaping plan for approval by the Department of Planning and Building. The street tree landscaping plan shall meet the following qualifications:
 - a. Street trees are to be provided at a ratio of one tree per 25 feet of frontage along Highway 1, Camino de Unos, and/or Camino del Rey.
 - b. Street trees are to be planted within the setback areas and no further than 20 feet from the right-of-way line.
 - c. The street trees shall be of a native species or a species listed on the County-approved plants list.
 - d. Grouping of trees is preferred over equal spacing along the frontage.
19. The street trees, in accordance with the approved street tree landscaping plan, shall be installed or bonded for **prior to final inspection of subdivision improvements**. If bonded for, street tree landscaping shall be completed within 90 days after final inspection of subdivision improvements.
20. **At the time of application for subdivision improvements**, if road improvements would necessitate the removal and/or impact to native tree species, the applicant shall provide a tree removal plan showing all trees within 50 feet of the right-of-way area. The tree removal plan shall clearly delineate which trees will be removed and which trees will be impacted (i.e. ground disturbance within root zone) by road improvement activities.
21. **At the time of application for subdivision improvements**, if road improvements would necessitate the removal of native tree species, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 2:1 ratio all Monterey cypress and Monterey pines removed as a result of the required road improvements, and a 1:1 ratio for all Monterey cypress and Monterey pines impacted by ground disturbance within the root zone (one and one-half times the dripline). All Monterey cypress and Monterey pine trees identified to remain shall not be removed.

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22. **At the time of application for subdivision improvements**, All trees to remain on-site that are within fifty feet of construction or grading activities, or road widening activities (as applicable), shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
23. **Prior to recordation of the Final Map**, the applicant shall demonstrate compliance with the Basin Plan to the satisfaction of the Central Coast Regional Water Quality Control Board (RWQCB) and County Environmental Health. The applicant shall provide a letter or some other form of written verification from the RWQCB to the Department of Planning and Building attesting to the project's conformity with the Basin Plan.
24. **Prior to recordation of the Final Map**, the applicant shall provide a final will-serve letter from the Rural Water Company to County Planning and Building Department and County Environmental Health.

Additional Map Sheet

25. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. All driveways shall be constructed in accordance with County Standard Improvement Specifications and Drawings. All driveways constructed on county roads require an encroachment permit.
 - b. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - c. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated December 8, 2005 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

Cultural Resources

- d. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

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Trees

- e. Existing trees that screen the site when viewed from Highway 1, and replacement street trees, shall not be excessively trimmed unless the existing tree condition is determined to be unsafe for adjacent structures. If removed, screening trees and/or street trees shall be replaced with similar types of tree at a 2:1 ratio, with one of the new trees coming from a 24" box container.
- f. All new development shall be located to minimize the removal and/or impact of native tree species. **At the time of application for grading and/or construction permits**, if removal or impact cannot be feasibly avoided, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 2:1 ratio all Monterey cypress and Monterey pines removed as a result of the proposed construction/grading, and a 1:1 ratio for all Monterey cypress and Monterey pines impacted by ground disturbance within the root zone (one and one-half times the dripline). All Monterey cypress and Monterey pine trees identified to remain shall not be removed.
- g. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- h. The newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- i. Once trees have been planted and **prior to final inspection of construction permits**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building Environmental Coordinator.
- j. To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

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- k. **Prior to issuance of grading and/or construction permits**, all trees to remain on-site that are within fifty feet of construction or grading activities, or road widening activities (as applicable), shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- l. Prior to occupancy or final inspection, whichever occurs first, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant this hand removal weeding shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December) until plant is 3' tall or for 3 years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.
- m. All Monterey cypress and Monterey pine trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

Water Conservation

- n. Prior to issuance of construction permit(s), the applicant shall provide landscaping plans for review and approval by the Department of Planning and Building which show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping shall not exceed 50 percent lawn surface with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible. Prior to final inspection, or occupancy, whichever occurs first, landscaping in accordance with the approved landscaping plans shall be installed or bonded for. If bonded for, landscaping shall be installed within 90 days after final inspection or occupancy.
- o. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.

Setbacks

- p. Special setbacks established as part of the approved tentative parcel map shall be shown on the additional map sheet.

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Miscellaneous

26. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
27. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

Staff report prepared by Michael Conger
and reviewed by Kami Griffin

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal systems shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

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10. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning and Health Departments for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
11. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
12. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
13. Any existing reservoir or drainage swale on the property shall be delineated on the map.
14. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
15. Required public utility easements be shown on the map.
16. Approved street names shall be shown on the map.
17. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
18. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
19. Any private easements on the property shall be shown on the map with recording data.
20. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
21. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
22. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
23. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees shall be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (MC)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-291

DATE: June 29, 2006

PROJECT/ENTITLEMENT: Cappelli Parcel Map SUB2005-00111 / CO05-0326

APPLICANT NAME: Louis Cappelli

ADDRESS: 657 Camino De Unos, Arroyo Grande, CA 93420

CONTACT PERSON: Westland engineering, Inc.

Telephone: (805) 541-2394

PROPOSED USES/INTENT: Request by Louis Cappelli/David and Joy Sanders for a vesting tentative parcel map to subdivide two existing parcels of 1.09 acres and 1.00 acres into four parcels of 20,881, 22,011, 23,559, and 20,003 square feet each for the purpose of sale and/or development. The proposed project is within the Residential Single Family land use category.

LOCATION: The proposed project is within the Residential Single Family land use category, and is located at 657 and 661 Camino de Unos and 642 Camino del Rey, in the village of Palo Mesa on the Nipomo Mesa in the South County (inland) planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 200
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: Caltrans

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on July 13, 2006

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No.

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 200, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Cappelli Parcel Map (SUB2005-00111, CO05-0326)

Project Applicant

Name: Lou Cappelli
Address: 657 Camino de Unos
City, State, Zip Code: Arroyo Grande, Calif. 93420
Telephone #: 805-481-7992

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

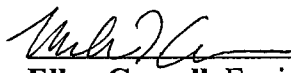
FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____.
- ☐ Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

 (Michael Conger)
Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: June 14, 2006



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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST
(ver 2.1)

Project Title & No. Cappelli Parcel Map SUB2005-00111 ED 05-291

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input checked="" type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

MICHAEL CONGER
Prepared by (Print)

[Signature]
Signature

6.2.06
Date

Jeff Oliveira
Reviewed by (Print)

[Signature]
Signature

Ellen Carroll,
Environmental Coordinator
(for)

6/2/06
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

Request by Louis Cappelli/David and Joy Sanders for a vesting tentative parcel map to subdivide two existing parcels of 1.09 acres and 1.00 acres into four parcels of 20,881, 22,011, 23,559, and 20,003 square feet each for the purpose of sale and/or development. The proposed project is within the Residential Single Family land use category, and is located at 657 and 661 Camino de Unos and 642 Camino del Rey, in the village of Palo Mesa on the Nipomo Mesa in the South County (inland) planning area.

ASSESSOR PARCEL NUMBER(S): 075-161-024,075-162-035 SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Palo Mesa

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): None

EXISTING USES: Residence

TOPOGRAPHY: Nearly level

VEGETATION: Grasses , ornamental landscaping, Monterey pines, Monterey cypresses

PARCEL SIZE: 1.00 +/- acres (075-161-024)
 1.09 +/- acres (075-162-035)

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Single Family; residential

East: Residential Single Family; residential

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South: Residential Single Family; residential

West: Residential Single Family; residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an existing residential subdivision in the village of Palo Mesa. The site is specifically located near the intersection of Camino del Rey and Camino de Unos. The site is bounded on the west by Highway 1 (Mesa View Drive), and on the north, south, and east by similar residential development on lots varying in size from 7,000 to 45,000 square feet.

The project will be visible from local roads Camino del Rey and Camino de Unos. Existing development on the Cappelli property is located towards Highway 1, however existing vegetation shields the development from public view. The visual character of this neighborhood is enhanced by the mature street trees that line the Camino del Rey and Camino de Unos frontages of the Cappelli parcel. The project is not expected to be visible from any other public road, or to silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

Impact. The applicant is proposing to subdivide two existing lots of approximately one acre each into four parcels of approximately 20,000 net square feet each. Currently three residences exist on the site (one on the Sanders property, two on the Cappelli property). The proposed Parcel Map would result in three parcels with existing primary dwellings, and one vacant lot (Lot 2). Future development would likely result in a fourth primary dwelling being built on the site. Additionally, the Parcel Map would result in the existing secondary residence on the Cappelli parcel being redesignated as a primary residence on proposed Lot 4. This would eliminate an 800 square foot (1,200 square foot with Minor Use Permit approval) limitation on the residence. The resulting parcels will be under the required minimum parcel size to support secondary dwellings (until such a time as a community sewer system is available).

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Future development would likely be visible from local roads (Camino del Rey and Camino de Unos), however the development is expected to be compatible with surrounding uses, and not to detract from the aesthetic character of the neighborhood. Existing vegetation on the western portion of the site and the existing residence on the Sanders property would prevent future development from being visible from Highway 1. The project is not expected to silhouette against any ridgelines as viewed from public roadways.

As part of the project, the Real Property Division Ordinance requires that the applicant provide road improvements to Camino del Rey and Camino de Unos. Currently several trees are located closely along both roads fronting the Cappelli property, and would likely be impacted, and/or removed in order to complete any required road widening and sidewalk installation. Removal of these trees could potentially alter the visual character of the neighborhood. Planting of street trees at a ratio of one tree for every 25 feet of frontage is required by the Real Property Division Ordinance.

Mitigation/Conclusion. The applicant will be required to comply with the Real Property Division Ordinance standards, which include provisions for the planting of street trees. Additionally, any removed native species will have to be replaced (see Biological Resources section). Existing vegetative screening of the project site from Highway 1 will be required to be maintained.

2. AGRICULTURAL RESOURCES

- *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within the Residential Single Family land use category and within a village reserve line. The project site is not currently in agricultural production, nor has it been historically used for agricultural purposes. The nearest commercially productive agricultural land is approximately one-quarter mile to the west at the base of the mesa (Dune Lakes property). The soil types on the site are not considered agriculturally significant, and are as follows:

Oceano sand, (0 - 9 % slope). This nearly level to gently sloping soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located in the South Central Coast Air Basin and is nearest to the Nipomo Ralco Way Air Quality Monitoring Station. Based on the latest air monitoring station, the trend in air quality in the general area is improving. The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NO_x) and reactive organic gases (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as a catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place relating to ROG and NO_x (i.e. application of the CEQA Air Quality Handbook) have helped to reduce the formation of ozone.

The APCD has developed the 2003 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. The applicant is not currently proposing development or site disturbance at this time. Future disturbance would occur during grading and construction activities associated with the development of up to one primary unit, driveway, and associated improvement on the proposed Lot 2, and potential expansion of the residence on Lot 4. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur. The Air Pollution Control District did not have any comments specific to this project (Aeron Arlin-Genet, March 2006).

The Clean Air Plan (CAP) includes land use management strategies designed to guide decision-makers on land use approaches that result in improved air quality. This project is consistent with the "Planning Compact Communities" strategy, which encourages increased densities in urban and village areas, rather than in rural areas.

The implementation of the proposed project would result in the generation of up to approximately 14

average daily vehicle trips, and would contribute to cumulative generation of transportation-related air emissions. In 1994, the South County Area Plan was adopted and the associated EIR certified. As part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as currently proposed. While cumulative impacts to air quality were identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan buildout, would offset some of these impacts.

Mitigation/Conclusion. Each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles by doing the following: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and rideshare advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths. No additional mitigation measures are required.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses

The project site is predominately vegetated with nonnative grasses and ornamentals. The project site contains several Monterey pine (*Pinus radiata*) and Monterey cypress (*Cupressus macrocarpa*) trees, which are native species to San Luis Obispo County, located primarily along the street frontage of Camino del Rey and Camino de Unos. While native to other parts of the County, the trees at this site were planted as ornamental or windbreak plantings.

Based on the latest California Diversity database, and other biological references, the following is a list of sensitive vegetation, wildlife and/or habitat that have been identified as potentially being within the vicinity of the proposed project:

Plants-

Blochman's leafy daisy (*Erigeron blochmaniae*) List 1B, app. 0.15 miles northwest and 0.84 miles northeast of site.

Blochman's leafy daisy (*Erigeron blochmaniae*) is generally found growing in coastal dunes and hills, coastal scrub areas. It is a California endemic which has a blooming period of July-August. Blochman's leafy daisy is considered rare by the CNPS (List 1B).

San Bernardino aster (*Symphyotrichum defoliatum*) app. 0.15 miles northwest of site.

San Luis Obispo (curly-leaved) monardella (*Monardella frutescens*) List 1B, app. 1.0 mile northwest of site.

San Luis Obispo monardella is a perennial herb that is found on sandy soils and in stabilized coastal dunes and coastal scrub habitats. The species generally blooms from May through September. The CNPS considers this plant to be rare, threatened or endangered in California and elsewhere (List 1B, 2-2-3).

Crisp monardella (*Monardella crisper*) List 1B, app. 0.96 miles west of site.

Crisp monardella (*Monardella crisper*) is a rhizomatous herb that occurs in coastal dune and coastal scrub habitats (Tibor 2001). The typical flowering period for this species is April through August. The species grows at 10 m to 120 m (33 ft to 393 ft) elevations. The crisp monardella is federal concern species and the CNPS considers this plant to be rare, threatened, or endangered in California and elsewhere (List 1B, 2-2-3).

Marsh (swamp) sandwort (*Arenaria paludicola*) FE, SE, List 1B app. 1.0 mile southwest of site.

Marsh sandwort (*Arenaria paludicola*) is a perennial herb that occurs in freshwater marsh habitats (Tibor 2001). One population is thought to be located in southern San Luis Obispo County at Black Lake Canyon on the Nipomo Mesa, one at Oso Flaco Lake (also in San Luis Obispo County) and the other in MacKerricher State Park, Mendocino County. There are contrasting reports on the number of populations currently found. Some sources claim that only one population is known (in Black Lake Canyon) and that the other populations have become extinct.

Gambel's watercress (*Rorippa gambelii*) FE, ST, List 1B app. 1.0 mile southwest of site.

Gambel's watercress occurs in association with freshwater marsh and brackish marsh habitats (Tibor 2001). It is found in marshes, swamps, and at the borders of lakes. The typical flowering period for this perennial herb is April through June. The species is known to exist at Oso Flaco Lake, near small twin lakes south of Arroyo Grande (west of the project site), on the south and north edge of Little Oso Flaco Lake, and near Black Lake Canyon Lake. Gambel's watercress is a Federal endangered and State threatened, and CNPS List 1B plant.

Wildlife-

White sand bear scarab beetle (*Lichnanthe albopilosa*), app. 0.77 miles southwest of site.

Oso Flaco flightless moth (*Areniscythis brachypteris*), app. 0.77 miles southwest of site.

Western snowy plover (*Charadrius alexandrinus nivosus*) FT, CSC, app. 0.86 miles west of site.

Western snowy plover (*Charadrius alexandrinus nivosus*) inhabits sand beaches, salt pond levees, and shores of large alkali lakes. The plover needs sandy, gravelly, or friable soils for nesting. Western snowy plover is considered federally threatened and a California Species of Special Concern.

Habitat –

Coastal and Valley Freshwater Marsh, app. 0.77 miles southwest of site.

Central Dune Scrub, app 0.61 miles west of site.

Vernal Pools – The proposed project is within the Santa Barbara vernal pool region, which is a generalized regional area with vernal pools known to exist within its boundaries. A vernal pool habitat will consist of seasonal wetland (i.e., an area with ponding water during the wet season and then drying up during the summer months). This habitat sometimes support sensitive aquatic plant and wildlife species, such as the federally-threatened vernal pool fairy shrimp, the spadefoot toad, the California Tiger salamander, and several sensitive aquatic plant species.

During a field inspection, the project area's topography was inspected for the potential to support vernal pools (e.g., low-lying areas, natural or man-made ponding areas, etc.). No such topography was identified.

Red-Legged frog habitat app. 0.12 miles west of site.

Pismo Clarkia Population app 0.73 miles southeast, Pismo Clarkia Critical Habitat app. 0.68 miles southeast, potential Clarkia habitat app. 0.39 miles southeast of site.

KEY: FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

Impact. The Real Property Division Ordinance requires that road improvements be made to both Camino del Rey and Camino de Unos. Completing these road improvements would likely require the removal and/or impact of several trees (Monterey pine and Monterey cypress). To avoid these impacts, the applicant has requested an exception to the road improvement standards. It is unknown at this time if this exception will be granted. Additionally, future development on the proposed parcels could potentially impact these native species. At this time it is unknown if and how many native trees will be impacted and/or removed. Staff visited the site on November 30, 2005, and did not observe any terrain features indicative of potential vernal pool habitat.

Mitigation/Conclusion. To mitigate for potential impacts to individual Monterey pines and Monterey cypresses, the applicant has agreed to submit plans showing the location, species type, and diameter of all pines and cypresses within 50 feet of proposed development and the road right-of-way. Unless the applicant demonstrates infeasibility, development shall be sited so as to avoid impacts to existing native trees. Trees impacted by disturbance, grading, or development within the root-zone (one and one-half times the dripline) shall be replaced by in-kind, one-gallon specimens at a 1:1 ratio. Removed trees shall be replaced by in-kind, one-gallon specimens at a 2:1 ratio. The trees shall be planted and maintained by the applicant.

5. CULTURAL RESOURCES - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area. The applicant submitted a *Phase 1 Archaeological Surface Survey* (Robert O. Gibson: September 28, 2004) including the results of a records search in the vicinity and a field survey of the subject site. No historic or prehistoric cultural materials were identified.

Impact. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. GEOLOGY - The topography of the project is nearly level, to gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered moderate. The liquefaction potential during a ground-shaking event is considered low to moderate. Potentially active faulting is known to exist in the vicinity of the subject property (Wilmar Fault, app. 2.53 miles northeast). The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. As this project is located

outside of these mapped geologically sensitive areas, a Geologic Study was not required.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (an unnamed stream) from the proposed development is approximately 0.72 miles to the northwest. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained.

SEDIMENTATION AND EROSION – The soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. The applicant is not currently proposing any development. Future development that could occur as a result of this project would be subject to existing codes and regulations. Additional runoff caused by future development would be adequately served by the existing drainage basin for Tract 933.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The

project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. For additional discussion of fire protection, see the Public Services section of this report. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site abuts Highway 1 (Mesa View Drive) right-of-way on the western side of the Sanders property (APN 075-162-035). In reviewing the County's Noise Element, the noise contour maps indicate that a portion of proposed Lot 1 is within the 60dbA noise contour. This contour extends eastward approximately 40-60 feet from the western property line. An existing house and lawn area are within the 60dbA contour area. The County considers residences as sensitive noise receptors.

Impacts. The existing residence on proposed Lot 1 is partially located within the 60dbA contour. Normal construction practices per the latest edition of the Uniform Building Code are sufficient to provide a Noise Level Reduction (NLR) of 15db even if windows or doors are partially open for ventilation (Noise Element). This suggests that the ambient noise within the existing residence on Lot 1 (which was permitted under the standards of the Uniform Building Code) is within an acceptable range (indoor threshold of 45db). Future residences or residential expansions built to the specifications of the UBC will be able to meet this threshold. All outdoor areas on both lots are within the 60db threshold for outdoor areas established in the County's Noise Element.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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9. POPULATION/HOUSING -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

- a) *Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?*
- b) *Displace existing housing or people, requiring construction of replacement housing elsewhere?*
- c) *Create the need for substantial new housing in the area?*
- d) *Use substantial amount of fuel or energy?*
- e) *Other:* _____

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Setting. The project site is located within the village of Palo Mesa, approximately 300 feet south of the commercial center at Halcyon Road and Highway 1.

In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES -*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

- a) *Fire protection?*
- b) *Police protection (e.g., Sheriff, CHP)?*
- c) *Schools?*
- d) *Roads?*

☐☒☐☐☐☒☐☐☐☒☐☐☐☒☐☐

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

Potentially
Significant Impact can
& will be
mitigated Insignificant
Impact Not
Applicable

- | | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Solid Wastes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Nipomo Mesa station 22) is approximately 2.9 miles to the south. The closest Sheriff substation is in Oceano, which is approximately 3.2 miles from the proposed project. The project is located in the Lucia Mar Unified School District. The project is located within the South County Road Improvement Fee area.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. See the Transportation section for a discussion on the project's cumulative impact on roads.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - Will the project:

Potentially
Significant Impact can
& will be
mitigated Insignificant
Impact Not
Applicable

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Increase the use or demand for parks or other recreation opportunities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Affect the access to trails, parks or other recreation opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. County Parks has designated a planned trail corridor along the Highway 1 frontage of the project. Prior to map recordation, County ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. The proposed project would contribute to the cumulative demand for trails and recreational resources in the Nipomo Mesa area.

Mitigation/Conclusion. Prior to map recordation, the applicant shall develop a minimum 10-foot wide detached public access trail easement along the Highway 1 frontage to the County's A-1(x) standard. The "Quimby" fee and will adequately mitigate the project's impact on recreational facilities.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public roads: Camino del Rey and Camino de Unos (local roads). The subdivision will ultimately access Halcyon Road (collector). Halcyon Road has been recommended for Level III Severity (Annual Resource Summary, 2004) between Highway 1 (Cienaga Street) and Highway 1 (Mesa View Drive). The project site is nearby to the intersection of Halcyon Road and Highway 1 (Mesa View Drive). The project site also has frontage along Highway 1, an arterial.

Impact. The proposed project is estimated to generate about 14 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit for primary units and 6/unit for secondary units. The proposed project could result in the construction of a new primary unit (+10 trips), and the conversion of an existing secondary unit to a primary unit (+10 trips -6 trips = 4 trips). This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. This project, however, could have cumulative impacts to the Halcyon/Highway 1 (Mesa View Drive) intersection and the Halcyon/Brisco Road/US Highway 101 interchange, both of which have already been identified as impacted. Additionally, if future development were to take access off of Highway 1, there could be potential safety concerns.

Referrals were sent to Public Works, CalTrans and the City of Arroyo Grande. No significant project-specific concerns pertaining to traffic and transportation were identified. The City of Arroyo Grande, however, provided comments referencing potential cumulative impacts due to traffic (Rob Strong,

November 16, 2005).

Mitigation/Conclusion. The proposed project is located within the Area 2 of the South County Fee Area. Prior to issuance of permits for future land uses on the project site, the applicant would be required to contribute to the fee program. The fees contributed to this program would partially finance the implementation of improvements to the Halcyon Road and Highway 1 (Mesa View Drive) intersection, and the Highway 101 and El Campo Road interchange, and mitigate cumulative impacts resulting from future development. Payment of the South County road fees would mitigate potential cumulative impacts to a less than significant level, and no additional mitigation measures are required.

With regards to safety concerns, the applicants have agreed that the proposed parcels will be denied direct access to Highway 1.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. As described in the NRCS Soil Survey (see Agriculture section for soil types and descriptions), the main limitations for on-site wastewater systems relates to poor filtering characteristics. These limitations are summarized as follows:

Poor Filtering Characteristics – due to the very permeable soil; without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent; to confirm compliance with the Central Coast Basin Plan, additional depth to groundwater information may need to be provided at the building permit stage.

The Central Coast Basin Plan prohibits new septic systems on lots of less than one acre unless “particularly favorable” conditions exist. These conditions include a percolation rate of between 0 and 5 minutes per inch and a minimum groundwater depth of 20 feet.

Impact. The project proposes to use an on-site system as its means to dispose of wastewater. Based on the proposed project, adequate area appears available for an on-site system. The soil has been representatively-tested (GeoSolutions Inc., October 2004) for the following criteria: percolation rates, soil borings of adequate depth to determine the presence/ absence of groundwater, and adequate separation from bedrock or impermeable layer. The percolation tests showed an average rate of 4 minutes per inch and a depth of greater than 20 feet to groundwater. Based on this information, there is adequate evidence showing that on-site systems can be designed to meet the Basin Plan. Prior to map recordation, additional testing may be required by the Environmental Health Division to verify acceptable conditions exist for on-site systems. Any proposed lot cannot be recorded until it has shown Basin Plan requirements can be met for that lot. Leach line locations will also be reviewed at this time to verify adequate setbacks are provided from any existing or proposed

wells (100 feet for individual wells, 200 feet for community wells).

Mitigation/Conclusion. Prior to recordation of the final map, the applicant shall demonstrate compliance with the Basin Plan to the satisfaction of the Regional Water Quality Control Board and County Environmental Health. Leach lines shall be located at least 100 feet from any private well and at least 200 feet from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 1.8% growth limit, as depicted in the Growth Management Ordinance. The County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.

A planning area standard will be enacted by which building permits will be required to include the full range of water conservation measures, including:

Indoor measures

- Low water-use toilets, showerhead, faucets;
- Low water-use clothes washers;
- Automatic shut-off devices for bathroom and kitchen faucets;
- Point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems.

Outdoor measures

- Low water-use landscape
- Limited landscape area;
- Limited turf area;

4-35

- Low water-use plant materials;
- Hardware
- Soil moisture sensors;
- Drip irrigation system;
- Separate meter for outdoor water;
- Management
- Operating manual to instruct homeowner how to use and maintain water conservation hardware.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 1.8% growth limit. Low water-use landscapes will be required for all developer-installed landscapes on parcels of 5 acres or less in any land use category (currently, this provision applies to parcels of 2 acres or less).

In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.

The project proposes to use a community system (Rural Water Co.) as its water source. The underlying groundwater basin is the Santa Maria groundwater basin, which is made up of three interconnected sub-areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

The topography of the project is nearly level to gently sloping. The closest creek (an unnamed stream) from the proposed development is approximately 0.72 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 1.37 acre feet/year (AFY)

1 residential lots w/primary (0.85 afy), no secondary (0.33 afy) = 0.85 afy

1 secondary unit converted to primary (0.52 afy) = 0.52 afy; Total = 1.37 afy

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989) [SBWaterUsage.pdf](#)

Regarding surface water quality, the amount of ground disturbance this project will result in is not known at this time. The project is not within close proximity to surface water sources.

Mitigation/Conclusion. Based on the setting discussion, the following water conservation measures are proposed for the project: drought tolerant landscaping, low-flow appliances. Additionally, a final will-serve letter from the Rural Water Company will be required prior to recordation of the Final Map.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g. County Land Use Ordinance, Local Coastal Plan, etc.). Surrounding uses are identified on Page 2 of the Initial Study.

Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The Central Coast Regional Water Quality Control Board provided a response asserting that the project was inconsistent with the Basin Plan (Sorrel Marks; November 21, 2005). Based on follow-up conversations with the Regional Board (Sorrel Marks; February 9, 2006), it was determined that this response was provided because the Regional Board was not in receipt of the percolation tests and other evidence that would demonstrate the project met the wastewater discharge standards of the Basin Plan (see discussion in Wastewater section). Environmental Health reviewed the percolation test documents and concluded that the information was sufficient to issue a processing approval letter on October 15, 2005. The applicant will also be required to demonstrate that the project is in compliance with the Basin Plan prior to recordation.

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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a) **Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

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b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)**

☐☒☐☐

c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at: "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	Attached
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>County Parks</u>	Attached
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County (Inland) Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> Other <u>Central Coast Basin Plan</u>
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Arlin-Genet, Aeron. Air Pollution Control District (March 13, 2006). Referral response.

Baker, Charles M. Rural Water Company (April 4, 2004). *Conditional Will Serve Letter*.

Duff-Tatum, Rahsaan. GeoSolutions, Inc. (October 2004). *Percolation Testing: 657 Camino de Unos*.

Gibson, Robert O. (October 18, 2004). *Results of Archival Records Search and Phase One Archaeological Surface Survey on Four Parcels on Camino del Rey and Camino De Unos, Nipomo Mesa, San Luis Obispo County, CA*.

Marks, Sorrel. Central Coast Regional Water Quality Control Board. (November 21, 2005). *Project Referral*.

Marks, Sorrel. Central Coast Regional Water Quality Control Board. (February 9, 2006). Phone conversation.

Salo, Laure. County Environmental Health (October 13, 2005). *Health Agency Subdivision Processing Approval Letter*.

Strong, Rob. City of Arroyo Grande (November 16, 2005). Referral response.

Exhibit B - Mitigation Summary Table

Mitigation Measures

Aesthetics

AE-1 **Prior to recordation of the Final Map**, the applicant shall provide a street tree landscaping plan for approval by the Department of Planning and Building, unless an adjustment is granted under Section 21.03.010(c)(7) of the Real Property Division Ordinance. The street tree landscaping plan shall meet the following qualifications:

- a. Street trees are to be provided at a ratio of one tree per 25 feet of frontage along Highway 1, Camino de Unos, and/or Camino del Rey.
- b. Street trees are to be planted within the setback areas and no further than 20 feet from the right-of-way line.
- c. The street trees shall be of a native species or a species listed on the County-approved plants list.
- d. Grouping of trees is preferred over equal spacing along the frontage.

AE-2 The street trees, in accordance with the approved street tree landscaping plan, shall be installed or bonded for **prior to final inspection of subdivision improvements**. If bonded for, street tree landscaping shall be completed **within 90 days after final inspection of subdivision improvements**.

AE-3 Existing trees that screen the site when viewed from Highway 1, and replacement street trees, shall not be excessively trimmed unless the existing tree condition is determined to be unsafe for adjacent structures. If removed, screening trees and/or street trees shall be replaced with similar types of tree at a 2:1 ratio, with one of the new trees coming from a 24" box container.

Biological Resources

BR-1 **At the time of application for subdivision improvements**, if road improvements would necessitate the removal and/or impact to native tree species, the applicant shall provide a tree removal plan showing all trees within 50 feet of the right-of-way area. The tree removal plan shall clearly delineate which trees will be removed and which trees will be impacted (i.e. ground disturbance within root zone) by road improvement activities.

BR-2 **At the time of application for subdivision improvements**, if road improvements would necessitate the removal of native tree species, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 2:1 ratio all Monterey cypress and Monterey pines removed as a result of the required road improvements, and a 1:1 ratio for all Monterey cypress and Monterey pines impacted by ground disturbance within the root zone (one and one-half times the dripline). All Monterey cypress and Monterey pine trees identified to remain shall not be removed.

4-40

4-41

- BR-3 All new development shall be located to minimize the removal and/or impact of native tree species. **At the time of application for grading and/or construction permits**, if removal or impact cannot be feasibly avoided, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 2:1 ratio all Monterey cypress and Monterey pines removed as a result of the proposed construction/grading, and a 1:1 ratio for all Monterey cypress and Monterey pines impacted by ground disturbance within the root zone (one and one-half times the dripline). All Monterey cypress and Monterey pine trees identified to remain shall not be removed.
- BR-4 Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- BR-5 The newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- BR-6 Once trees have been planted and **prior to final inspection of construction permits**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building Environmental Coordinator.
- BR-7 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- BR-8 **Prior to issuance of grading and/or construction permits, and at the time of application for subdivision improvements**, All trees to remain on-site that are within fifty feet of construction or grading activities, or road widening activities (as applicable), shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- BR-9 **Prior to occupancy or final inspection, whichever occurs first**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked

“weed mat” (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant this hand removal weeding shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December) until plant is 3' tall or for 3 years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.

BR-10 All Monterey cypress and Monterey pine trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted trees: year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

Recreation

R-1 **Prior to recordation of the Final Map**, the applicant shall develop a minimum 10-foot wide detached public access trail easement along the Highway 1 frontage to the County's A-1(x) standard.

Transportation / Circulation

TC-1 Direct access from Highway 1 shall be denied to the project site. The proposed parcels shall take access to the street system from Camino del Rey or Camino de Unos. **Prior to recordation of the Final Map**, the applicant shall include notes on the final map restricting access to Highway 1.

Wastewater

WW-1 **Prior to recordation of the Final Map**, the applicant shall demonstrate compliance with the Basin Plan to the satisfaction of the Central Coast Regional Water Quality Control Board (RWQCB) and County Environmental Health. The applicant shall provide a letter or some other form of written verification from the RWQCB to the Department of Planning and Building attesting to the project's conformity with the Basin Plan.

Water

W-1 **Prior to recordation of the Final Map**, the applicant shall provide a final will-serve letter from the Rural Water Company to County Planning and Building Department and County Environmental Health.

W-2 **Prior to issuance of construction permit(s)**, the applicant shall provide landscaping plans for review and approval by the Department of Planning and Building which show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping shall not exceed 50 percent lawn surface with remaining landscaping being

4-42

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W-3

drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible. **Prior to final inspection, or occupancy, whichever occurs first**, landscaping in accordance with the approved landscaping plans shall be installed or bonded for. If bonded for, landscaping shall be installed within 90 days after final inspection or occupancy.

All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

4-44

Date: June 5, 2006

**DEVELOPER'S STATEMENT FOR
Cappelli Parcel Map
CO 05-0326 / SUB2005-00111 / ED 05-291**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Aesthetics

AE-1 Prior to recordation of the Final Map, the applicant shall provide a street tree landscaping plan for approval by the Department of Planning and Building, unless an adjustment is granted under Section 21.03.010(c)(7) of the Real Property Division Ordinance. The street tree landscaping plan shall meet the following qualifications:

- a. Street trees are to be provided at a ratio of one tree per 25 feet of frontage along Highway 1, Camino de Unos, and/or Camino del Rey.
- b. Street trees are to be planted within the setback areas and no further than 20 feet from the right-of-way line.
- c. The street trees shall be of a native species or a species listed on the County-approved plants list.
- d. Grouping of trees is preferred over equal spacing along the frontage.

AE-2 The street trees, in accordance with the approved street tree landscaping plan, shall be installed or bonded for **prior to final inspection of subdivision improvements**. If bonded for, street tree landscaping shall be completed **within 90 days after final inspection of subdivision improvements**.

Monitoring AE-1, AE-2: Compliance will be verified by the County Planning and Building Department.

AE-3 Existing trees that screen the site when viewed from Highway 1, and replacement street trees, shall not be excessively trimmed unless the existing tree condition is determined to be unsafe for adjacent structures. If removed, screening trees and/or street trees shall be replaced with similar types of tree at a 2:1 ratio, with one of the new trees coming from a 24" box container.

Monitoring AE-3: Department of Planning and Building, in consultation with the Environmental Coordinator, will be able to advise applicants on tree trimming issues.

4-45

Biological Resources

- BR-1 **At the time of application for subdivision improvements**, if road improvements would necessitate the removal and/or impact to native tree species, the applicant shall provide a tree removal plan showing all trees within 50 feet of the right-of-way area. The tree removal plan shall clearly delineate which trees will be removed and which trees will be impacted (i.e. ground disturbance within root zone) by road improvement activities.
- BR-2 **At the time of application for subdivision improvements**, if road improvements would necessitate the removal of native tree species, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 2:1 ratio all Monterey cypress and Monterey pines removed as a result of the required road improvements, and a 1:1 ratio for all Monterey cypress and Monterey pines impacted by ground disturbance within the root zone (one and one-half times the dripline). All Monterey cypress and Monterey pine trees identified to remain shall not be removed.
- BR-3 All new development shall be located to minimize the removal and/or impact of native tree species. **At the time of application for grading and/or construction permits**, if removal or impact cannot be feasibly avoided, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 2:1 ratio all Monterey cypress and Monterey pines removed as a result of the proposed construction/grading, and a 1:1 ratio for all Monterey cypress and Monterey pines impacted by ground disturbance within the root zone (one and one-half times the dripline). All Monterey cypress and Monterey pine trees identified to remain shall not be removed.
- BR-4 Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- BR-5 The newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- BR-6 Once trees have been planted and **prior to final inspection of construction permits**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building Environmental Coordinator.
- BR-7 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial

measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

- BR-8 Prior to issuance of grading and/or construction permits, and at the time of application for subdivision improvements,** All trees to remain on-site that are within fifty feet of construction or grading activities, or road widening activities (as applicable), shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- BR-9 Prior to occupancy or final inspection, whichever occurs first,** the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3' radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant this hand removal weeding shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December) until plant is 3' tall or for 3 years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.
- BR-10 All Monterey cypress and Monterey pine trees identified to remain shall not be removed.** Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

Monitoring BR-1 through BR-10: Compliance will be verified by the County Planning and Building Department, in consultation with the Environmental Coordinator and County Public Works.

Recreation

- R-1 Prior to recordation of the Final Map,** the applicant shall develop a minimum 10-foot wide detached public access trail easement along the Highway 1 frontage to the County's A-1(x) standard.

Monitoring R-1: Compliance will be verified by the County Planning and Building Department, in consultation with County Parks Division.

Transportation / Circulation

- TC-1 Direct access from Highway 1 shall be denied to the project site.** The proposed parcels shall take access from Camino del Rey or Camino de Unos. **Prior to recordation of the Final Map,** the applicant shall include notes on the final map restricting access to Highway 1.

4-47

Monitoring TC-1: Compliance will be verified by the County Planning and Building Department.

Wastewater

- WW-1 Prior to recordation of the Final Map,** the applicant shall demonstrate compliance with the Basin Plan to the satisfaction of the Central Coast Regional Water Quality Control Board (RWQCB) and County Environmental Health. The applicant shall provide a letter or some other form of written verification from the RWQCB to the Department of Planning and Building attesting to the project's conformity with the Basin Plan.

Monitoring WW-1: Compliance will be verified by the County Planning and Building Department.

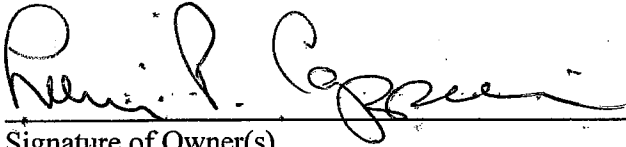
Water

- W-1 Prior to recordation of the Final Map,** the applicant shall provide a final will-serve letter from the Rural Water Company to County Planning and Building Department and County Environmental Health.
- W-2 Prior to issuance of construction permit(s),** the applicant shall provide landscaping plans for review and approval by the Department of Planning and Building which show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping shall not exceed 50 percent lawn surface with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible. **Prior to final inspection, or occupancy, whichever occurs first,** landscaping in accordance with the approved landscaping plans shall be installed or bonded for. If bonded for, landscaping shall be installed within 90 days after final inspection or occupancy.
- W-3 All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.**

Monitoring W-1 through W-3: Compliance will be verified by Department of Planning and Building in consultation with the Environmental Coordinator.

4-48

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

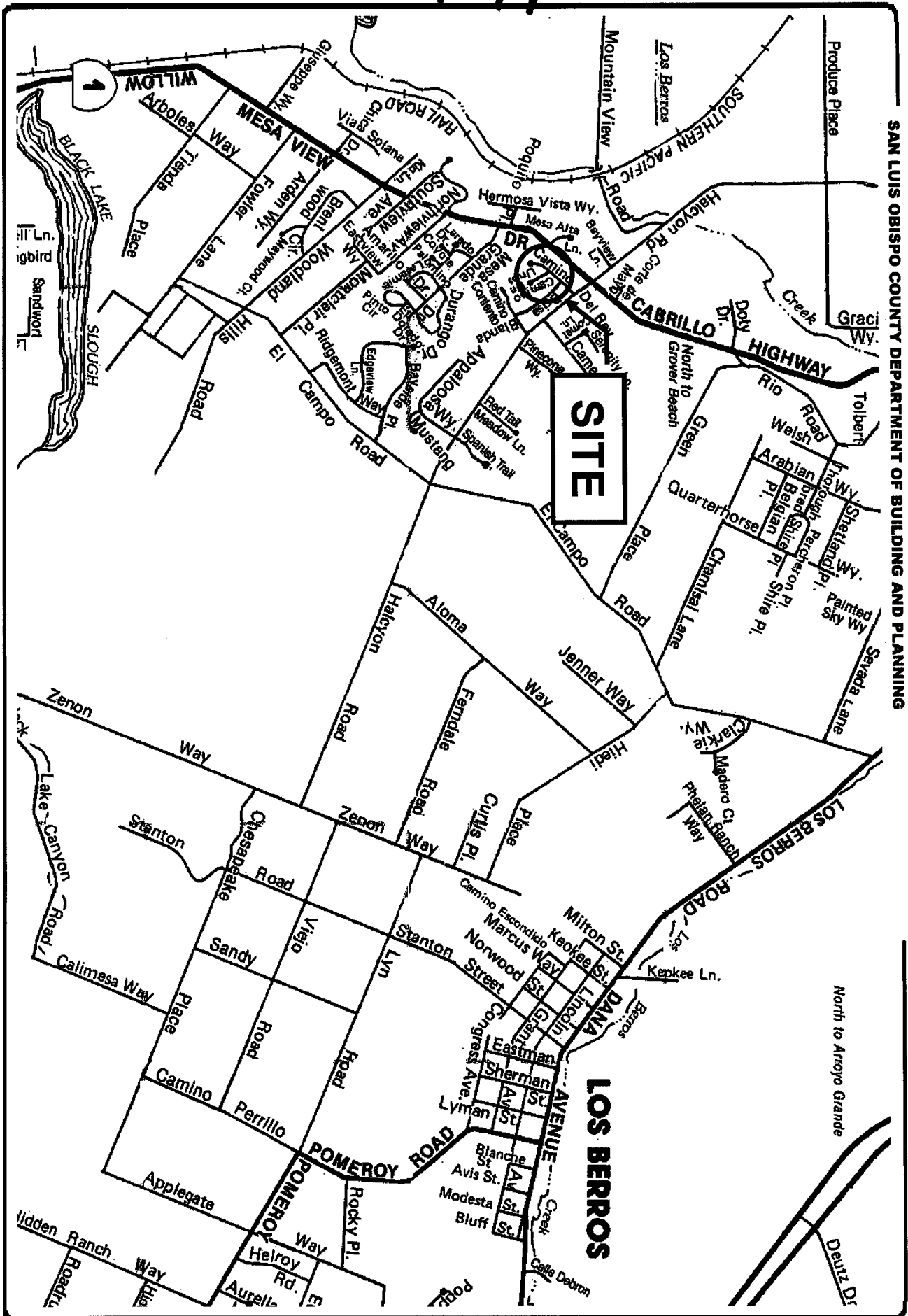
6/6/06

Date

LOUIS P. CAPPELLI

Name (Print)

4-49



PROJECT

Parcel Map

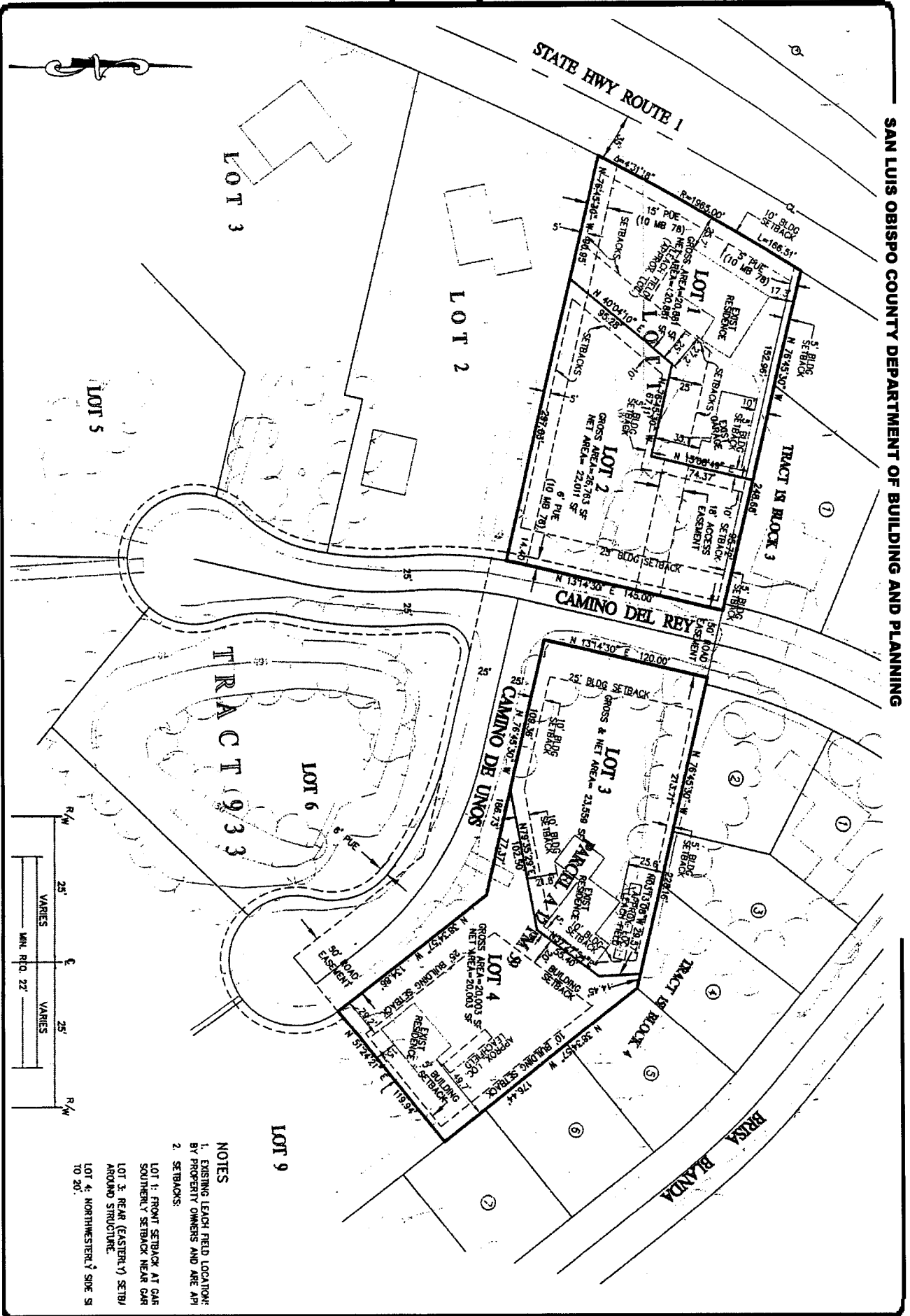
Cappelli SUB2005-00111



EXHIBIT

Vicinity Map

4-51



PROJECT

Parcel Map

Cappelli SUB2005-00111



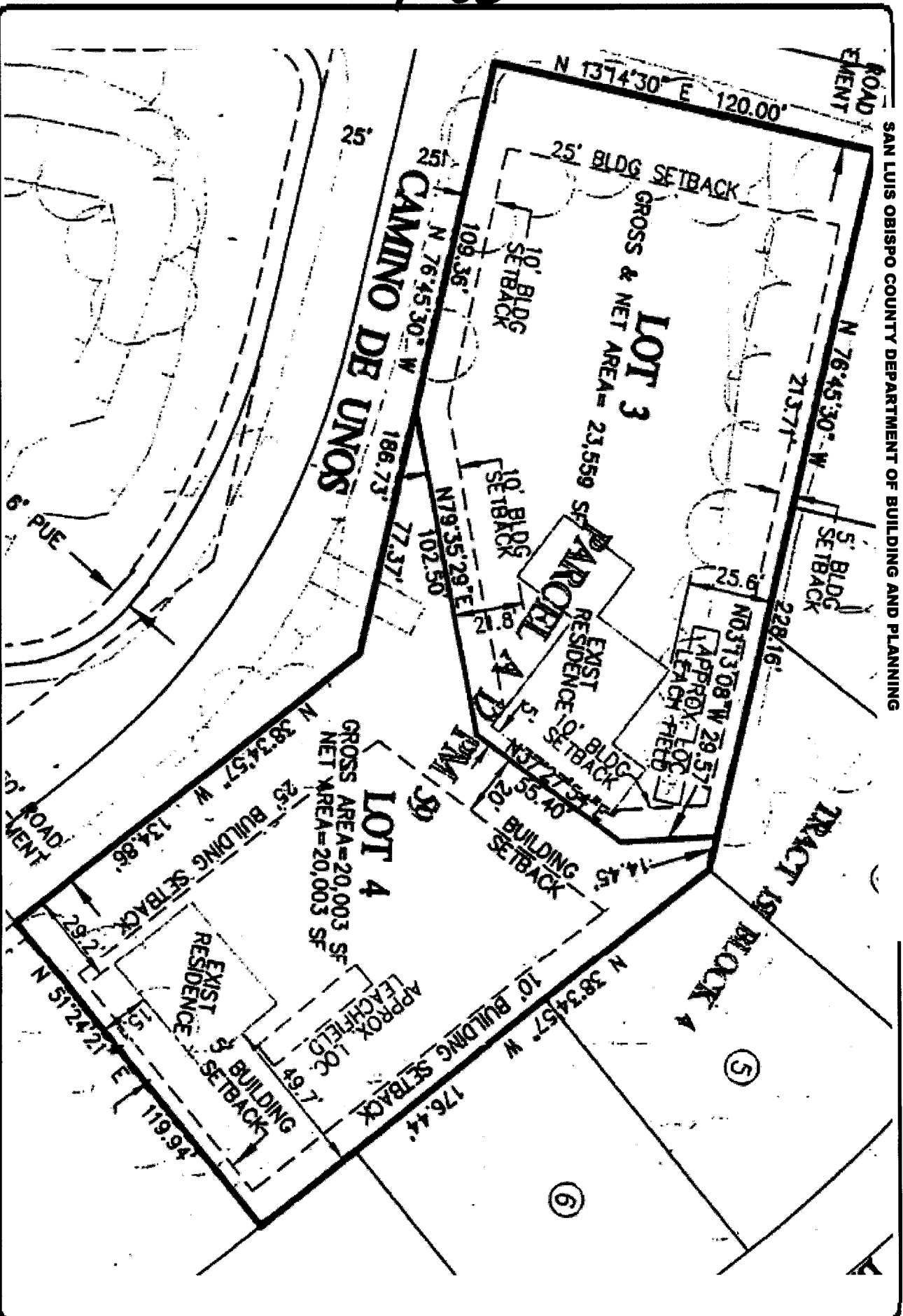
EXHIBIT

Vesting Tentative Parcel Map



Cappelli SUB2005-00111

Lots 1 and 2 – Vesting Tentative Parcel Map



PROJECT

Parcel Map

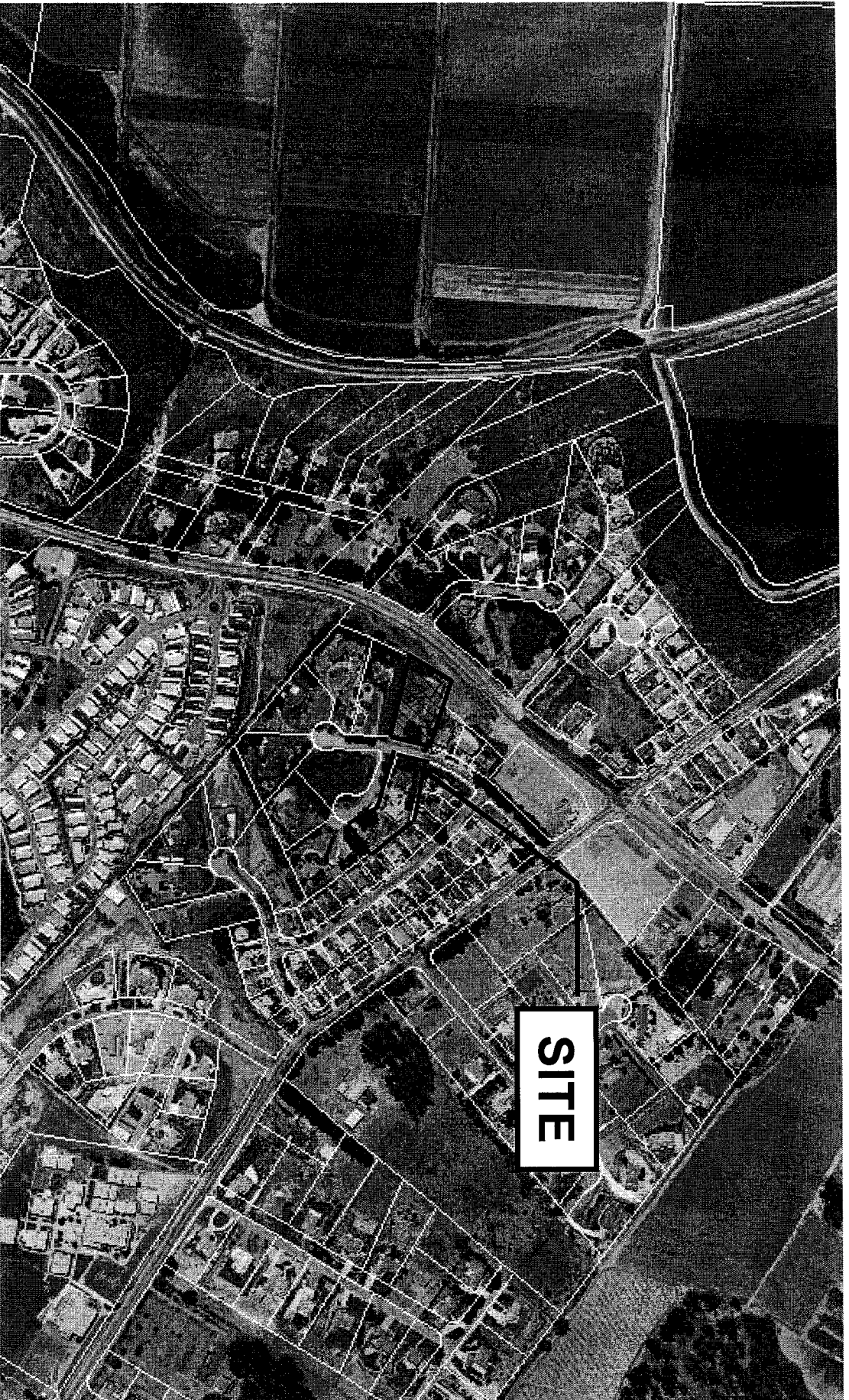
Cappelli SUB2005-00111

EXHIBIT

Lots 3 and 4 - Vesting Tentative Parcel Map



4-54



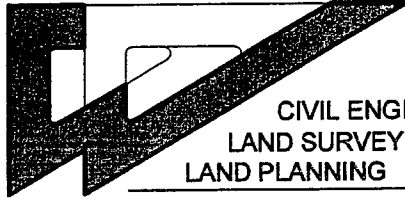
PROJECT

Parcel Map
Cappelli SUB2005-00111



EXHIBIT

Aerial Photograph Map



4-55

Cappelli 05.021

APN# 075-161-024 & 075-162-035

Curb, Gutter & Sidewalk Waiver Application Backup Material

General Site Information

The surrounding streets, as a norm, tend to have A.C. berms on the edges of the streets with no sidewalks. Landscape plantings come right up to the back of the A.C. berm. This is the existing character of the neighborhood.

Both Camino Del Rey and Camino de Unos are dead end streets each with a Cul-de-Sac turn-a-round at the terminus. Both streets have a.c. berms to demarcate the edges of the road forming wheel stops and drainage directional elements. Large trees exist sometimes within a few feet of the traveled road.

Streets Camino Del Rey has large Monterey Cypress (*Cupressus macrocarpa*) while Camino de Unos has large Monterey Pines (*Pinus radiata*) both of which are close to the roadway. Other trees are interspersed throughout but these two mentioned species dominate the urban landscape.

Any disturbance to the existing grade has the possibility of jeopardizing the health of the existing trees.

If a sidewalk is required by the County of San Luis Obispo many of these existing trees will have their roots impacted. For example a concrete curb and gutter, if required, will destroy many of the roots of the trees during the excavation process and the alkalinity of the concrete might adversely affect the total tree. A sidewalk constructed to County Standards will run through tree trunks necessitating the trees removal.

Also the existing natural slopes and grade modifications made necessary by the hardscape construction will, in some instances, require a wall to be constructed to support this grade change if the trees are to be saved. Once again the roots of the trees will be in jeopardy by the excavation and construction.

4-56

Title 22, (22.54.030) Land Use Ordinance:

D. Exceptions:

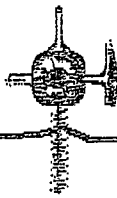
1. Incompatible grade.

Grading, to meet County Standards will be within many trees driplines and their CRZ's (Critical Root Zones) and will damage the existing trees roots thereby placing in jeopardy the overall health of the trees in question.

2. Incompatible development.

The land use in the general area is single family housing. Most of the streets are A.C. paved with A.C. berms on each side of the street with no sidewalks.

The two streets in question are dead-end streets with virtually no possibility of road extensions or connections to other streets now or in the future and therefore the projected needs for drainage and traffic control will be virtually the same as existing.



4-57

GeoSolutions, Inc.

220 High Street, San Luis Obispo, CA 93401
(805) 543-8539, 543-2171 fax
info@GeoSolutions.net

June 24, 2005
Project SL04523-1

Mr. Dave and Joy Sanders
642 Camino Del Rey
Arroyo Grande, California 93420

Subject: Percolation Testing Addendum Letter
642 Camino Del Rey, APN: 075-162-035
Arroyo Grande, San Luis Obispo County, California

Reference: Percolation Testing, 642 Camino Del Rey, APN: 075-162-035, Arroyo Grande Area, San Luis Obispo County, California by GeoSolutions, Inc., dated November 10, 2004.

Dear Mr. and Mrs. Sanders:

This Percolation Testing Update Report has been prepared for the proposed single-family, private wastewater disposal field to be located at 642 Camino Del Rey, APN: 075-162-035 in the Arroyo Grande area of San Luis Obispo County, California.

GeoSolutions, Inc. performed percolation testing at the subject site within an area proposed for a private wastewater disposal field. The property is situated on the west side of Camino Del Rey and is approximately one acre in size. The area tested for percolation gently slopes to the east and is vegetated with grass. Percolation test information is presented in table below.

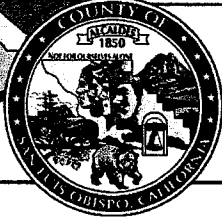
PERCOLATION TEST RESULTS			
P-1	5	2	2 minutes per inch
P-2	5	2	
P-3	5	1	

Thank you for the opportunity to have been of service in preparing this report. If you have any questions or require additional assistance, please feel free to contact the undersigned at (805) 543-8539.

Sincerely,
GeoSolutions, Inc.

Rahsaan Duff-Tatum
Environmental Technician

S:\Environmental\Percolations Tests\SL04523-1 642 Camino Del Rey\SL04523-1 642 Camino Del Rey Percolation letter.doc



mc 4-58

CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

December 8, 2005

South County Team
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # SUB2005-00111 Cappelli

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed two parcel into four parcel subdivision project located at 657 Camino De Unos, Arroyo Grande, CA. This project is located approximately 10 to 15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires.

It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - Parcels 5 acres to 19.99 acres 2640 feet
 - Parcels 20 acres or larger 5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.

4-59

- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Chad T. Zrelak
Fire Captain

cc: Cappelli
Westland Engineering



4-60 10
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

mc

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

11-3-05

FROM

PW

FROM

☒ - South County Team

☐ - North County Team

☐ - Coastal Team

PROJECT DESCRIPTION:

File Number: CO 05-0326
SUB2005-00111

Applicant: Cappelli

Parcel map - split 2 existing parcels to
create 4 parcels. Located in Arroyo grande. (2.37
APN: 075-161-024 & 075-162-035
Return this letter with your comments attached no later than: 11-18-05 acres

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)
(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES
☒ NO

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Stack Conditions Attached. NEED 100' or 200' set back from NE 1/4? LINE
Between lots 3 & 4 is rather confused but probably THE BEST THAT can be
done - Referral did not include title report for Cappelli (lot 3 & 4 Area).

Date

20 Dec 2005

Name

Goodwin

Phone

5252

COUNTY GOVERNMENT CENTER

SAN LUIS OBISPO

CALIFORNIA 93408

(805) 781-5600

EMAIL: planning@co.slo.ca.us

FAX: (805) 781-1242

WEBSITE: <http://www.sloplanning.org>

EXHIBIT B

4-61

CONDITIONS OF APPROVAL FOR CO 05-0326, CAPELLI/WESTLAND

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ acres / square feet each.

Access and Improvements



Roads and/or streets to be constructed to the following standards:

- a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.
- b. CAMINO DEL REY & CAMINO DE UNOS widened to complete a A-2 section fronting the property.
- c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

- a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.
- b. For future road improvement _____ feet along _____ to be described as _____.
- c. For road widening purposes _____ feet along _____ to be described as _____ feet from the recorded centerline.
- d. The 50 foot road easement as shown on the tentative parcel map with a 20 foot radius property line return at the intersection of CAMINO DEL REY & CAMINO DE UNOS.
- e. A _____ foot radius property line return at the intersection of _____.
- f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

4-62

- ☐ The intersection of _____ and _____ be designed in accordance with California Highway Design Manual.
- ☒ Access be denied to lots Lot 1 from Hwy 1 and that this be by certificate and designation on the map.
- ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
- ☒ A private easement be reserved on the map for access to lots 1.
- ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

Drainage

4-63

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☒ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☒ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - ☒ b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☒ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. *Provide WQID # to County*

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

4-69

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☐ Electric and telephone lines shall be installed **underground / overhead**.
- ☐ Cable T.V. conduits shall be installed in the street.
- ☐ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

4-65

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

4-66

Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. (***ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN***)
 - b. Drainage basin perimeter landscape screening. (***ONLY USE FOR FENCED BASINS***)
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ _____
- ☐ _____

Additional Map Sheet

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

- 4-67
- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
 - e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
 - g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
 - h. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
 - i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
 - k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. **(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)**
 - l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
 - m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____

Covenants, Conditions and Restrictions

- 4-68
- ☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

4-69

- ☒ This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.



County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489

San Luis Obispo, California 93406

(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.

County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

4-70

October 13, 2005

Westland Engineering
3480 South Higuera Street, Suite 130
San Luis Obispo, CA 93401

ATTN: **TED ELDER**
RE: **TENTATIVE PARCEL MAP CO 05-0326 (CAPPELLI/SANDERS)**
APN 075-162-035 & 075-161-024

Water Supply

This office is in receipt of a preliminary can and will serve letter from the Rural Water Company. Be advised that a final can and will serve letter and final map will be required prior to recordation of the final map. The improvements for water in favor of the proposed parcels shall be built or bonded for **prior** to final recordation.

Wastewater Disposal

Individual wastewater disposal systems, designed and constructed to meet County and State requirements, should adequately serve the parcels. Comprehensive soil testing information has been submitted and reviewed by this office. **Please provide a full size exhibit showing the location of septic tank and leachfields for all parcels.**

PARCEL MAP CO-05-0326 is approved for Health Agency subdivision map processing.

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

- c: Kami Griffin, County Planning
South County Team, County Planning
Rural Water Company
Louis Cappelli, Owner
The Sanders, Owners

4-71

Michael
Conger/Planning/COSLO
07/07/2006 11:01 AM

To
cc
bcc
Subject Fw: Koon & Cappelli Parcel Map Referrals



Aeron Arlin Genet
APCD/COSLO
03/14/2006 03:05 PM

To Michael Conger/Planning/COSLO@Wings
cc
Subject Fw: Koon & Cappelli Parcel Map Referrals

For the official project review record -- the APCD has "no comment" on the Koon and Cappelli Parcel map Referrals.

Aeron Arlin Genet
Air Pollution Control District
San Luis Obispo County
phone: 805.781.5998
fax: 805.781.1002
www.slocleanair.org



SA. LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

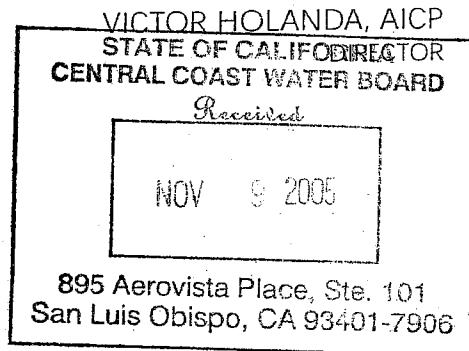
4-72

THIS IS A NEW PROJECT REFERRAL

DATE: 11-3-05

TO: RWQCB

FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team



PROJECT DESCRIPTION: File Number: CO. 05-0326 Applicant: Cappelli
Parcel Map - split 2 existings parcels to
create 4 parcels. Located in Arroyo grande. (2.37
APN: 075-161-024 & 075-162-035 11-18-05 acres
Return this letter with your comments attached no later than:

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☐ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

The resulting lot size is inconsistent with Basin Plan
Criteria for one acre per residence on septic. Accordingly,
Water Board does not concur with proposed action.

11-21-05
Date

Sorrel Marks
Name

544-3695
Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us

FAX: (805) 781-1242

WEBSITE: <http://www.sloplanning.org>

4-73

Jan DiLeo/GenSrvcs/COSLO
07/03/2006 12:04 PM

To Michael Conger/Planning/COSLO@Wings, Brian
Pedrotti/Planning/COSLO@Wings

cc

bcc

Subject CO 05-0325 & CO 05-0326 - Trail Condition

Hi Michael and Brian,

I met with the applicants regarding CO 05-0325 & CO 05-0326 this morning. They showed me property lines and the location of the Caltrans right-of-way in regard to Parks trail condition. In both cases, the trail would actually be more logically located in Caltrans right-of-way rather than on the applicant's property. Thus, a condition for a trail on these applications is unnecessary. Let me know if you have questions.
THANKS!

Jan Di Leo
Parks Planner
SLO County Parks
(805) 781-4089 <http://www.slocountyparks.org>



ML
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

4-74

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: ~~11-3-05~~ 12/01/05

FROM: Parks

TO: FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

CO 05-0326
PROJECT DESCRIPTION: File Number: SUB2005-00111 Applicant: Cappelli
Parcel Map - split 2 existing parcels to
create 4 parcels. Located in Arroyo grande. (2.37
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Return this letter with your comments attached no later than: 11-18-05 acres

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
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(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

SEE Attached memo

12/01/05
Date

Tan D. Leo
Name

4089
Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

Parks Conditions
Cappelli (CO 05-0326)
December 1, 2005

4-75

The following language would appear under the **Access and Improvements** heading.

Prior to obtaining building permits or a grading permit, the applicant shall offer for dedication to the public by a recorded irrevocable offer to dedicate:

- a. A minimum 10 foot wide detached public access trail easement located along the Highway 1 street frontage to the County's A-1(x) detached trail road standard. The location and design of the proposed trail easement shall be reviewed and approved by County Parks prior to the issuance of building permits or a grading plan (whichever occurs first). The trail easement may be located within the road right-of-way if approved by Caltrans, based on the need for future roadway improvements. The trail easement shall be located (1) to minimize removal or disturbance of existing vegetation at the time of future trail construction by the County, (2) on relatively flat land, (3) outside of potential safety or high maintenance areas, and (4) outside of proposed improvements such as signs or similar structures.

The following condition is under Parks and Recreation (Quimby) Fees:

- ☐ Unless exempted by Chapter 21.09 of the County Real Property Division Ordinance or California Government Code Section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.

4-76